

REMARKS

I. Summary Of Office Action

Claims 1-58 are pending in the above-identified patent application.

The Examiner rejects claims 1-42 and 55-58 under 35 U.S.C. § 102(e) as being anticipated by Harrington et al. U.S. patent No. 6,161,099 (hereinafter "Harrington"). Claims 43-54 are also rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrington.

II. Summary Of Telephonic Interview

The Examiner and the undersigned conducted a telephonic interview on October 26, 2004. The undersigned wishes to thank the Examiner for the courtesies extended during the interview.

Generally, the Examiner and the undersigned discussed interpretations of the term "offer" as used in the claims. Applicants argued that an "offer" should be interpreted as an offer to sell, which is the opposite of a bid. The Examiner disagreed and believed that an "offer" could be either an offer to sell or an offer to buy. The undersigned and the Examiner did not come to an agreement. Detailed arguments in support of applicants' position will be presented below.

III. Applicants' Response to Examiner's Rejections

Applicants have amended claims 1, 11, 14, 23, 26, 30, 40, 43, 52, and 55 and added claims 59-75 to more particularly define the invention. The Examiner's rejections are respectfully traversed.

IV. The Rejection of Claims 1-13

The Examiner rejects claims 1-13 under 35 U.S.C. § 102(e) as being anticipated by Harrington. The Examiner's rejection is respectfully traversed.

A. The Rejection of Claim 1

Applicants' invention, as defined by amended claim 1, is directed to a method of submitting a two-sided market trading command in an electronic trading system. The method comprises: receiving a submission of a bid command from a trader; generating an offer value based on the submitted bid command; and submitting the two-sided market trading command on behalf of the trader. The two-sided market trading command comprises the bid command and an offer command, where the offer command is based on the offer value. The Examiner contends that Harrington shows all the features defined in applicants' claim 1. Applicants respectfully disagree.

Applicants' claim 1 has been amended to define "submitting the two-sided market trading command on behalf of the trader, wherein the two-sided market trading command comprises the bid command and an offer command." Thus, claim 1 defines the submission of both a bid command and an offer command on behalf of a trader. In contrast, Harrington describes conducting an auction over electronic networks. The auctioneer maintains a website that may be accessed by users. A user participates in the auction by submitting bids through the auction system, which provides functions such as bid preparation and bid verification. At the end of the auction, the auctioneer is able to review bidding history, determine the winner, and communicate results of the auction to the winner and other users. The system of Harrington submits only bid commands for a user of the auction system. Nowhere does Harrington show or

suggest the submission of a two-sided market trading command that comprises both a bid command and an offer command on behalf of a trader, as defined by applicants' claim 1.

In view of the foregoing, claim 1 should be found allowable over Harrington. Therefore, the rejection of claim 1 over Harrington should be withdrawn.

B. The Rejection of Claims 2-13

As demonstrated above, claim 1 should be found allowable. Therefore, dependent claims 2-13 should also be found allowable for at least the same reasons as to why independent claim 1, from which dependent claims 2-13 depend, is allowable. Accordingly, the rejection of dependent claims 2-13 should be withdrawn.

V. The Rejection of Claims 14-25

The Examiner rejects claims 14-25 under 35 U.S.C. § 102(e) as being anticipated by Harrington. The Examiner's rejection is respectfully traversed.

A. The Rejection of Claim 14

Applicants' invention, as defined by amended claim 14, is directed to a method for submitting a two-sided market trading command in an electronic trading system. The method comprises: receiving a submission of a bid command from a trader via a first interface; generating an offer value based on the submitted bid command; presenting a second interface that contains information relating to the submission of the two-sided market trading command; and submitting the two-sided market trading command on behalf of the trader. The two-sided market trading command comprises the bid command and an offer command, where the offer command is based on the offer value. The

Examiner contends that Harrington shows all the features defined in applicants' claim 14. Applicants respectfully disagree.

Applicants' claim 14 defines "presenting a second interface that contains information relating to the submission of the two-sided market trading command, wherein the two-sided market trading command comprises the bid command and an offer command." For example, "to facilitate two-sided trading, dialog window 300 [includes] a bid price entry field 324, ... an offer price entry field 326, ... a bid size entry field 329, ... [and] an offer size entry field 331" (page 16, lines 16-22). Although Harrington does show presentation of a second screen (FIG. 13), the information on that screen relates to a bid command, not a two-sided market trading command comprising both a bid command and an offer command. Nowhere does Harrington show or suggest presenting a second interface containing information relating to a submission of a two-sided market trading command, where the two-sided market trading command comprises the bid command and an offer command, as defined by applicants' claim 14.

Applicants' claim 14 also defines "submitting the two-sided market trading command on behalf of the trader." As described in Section IV. A. above, Harrington only shows the submission of bid commands for a user of the auction system, and therefore neither shows nor suggests this feature of applicants' claim 14.

In view of the foregoing, claim 14 should be found allowable over Harrington. Therefore, the rejection of claim 14 over Harrington should be withdrawn.

B. The Rejection of Claims 15-25

As demonstrated above, claim 14 should be found allowable. Therefore, dependent claims 15-25 should also be found allowable for at least the same reasons as to why

independent claim 14, from which dependent claims 15-25 depend, is allowable. Accordingly, the rejection of dependent claims 15-25 should be withdrawn.

VI. The Rejection of Claims 26-29

The Examiner rejects claims 26-29 under 35 U.S.C. § 102(e) as being anticipated by Harrington. The Examiner's rejection is respectfully traversed.

A. The Rejection of Claim 26

Applicants' invention, as defined by claim 26, is directed to a method for submitting a two-sided market trading command in an electronic trading system. The method comprises: receiving data related to a tradable item data display; presenting an interactive data display based at least in part on the tradable item data display; receiving a selection of an item in the interactive data display that corresponds to a bid command; generating an offer value based on the submitted bid command; and submitting the two-sided market trading command on behalf of the trader. The two-sided market trading command comprises the bid command and an offer command, where the offer command is based on the offer value. The Examiner contends that Harrington shows all the features defined in applicants' claim 26. Applicants respectfully disagree.

Applicants' claim 26 defines "submitting the two-sided market trading command on behalf of a trader, wherein the two-sided market trading command comprises the bid command and an offer command." As described in Section IV. A. above, Harrington only shows the submission of bid commands for a user of the auction system, and therefore neither shows nor suggests this feature of applicants' claim 26.

In view of the foregoing, claim 26 should be found allowable over Harrington. Therefore, the rejection of claim 26 over Harrington should be withdrawn.

B. The Rejection of Claims 27-29

As demonstrated above, claim 26 should be found allowable. Therefore, dependent claims 27-29 should also be found allowable for at least the same reasons as to why independent claim 26, from which dependent claims 27-29 depend, is allowable. Accordingly, the rejection of dependent claims 27-29 should be withdrawn.

VII. The Rejection of Claims 30-42

The Examiner rejects claims 30-42 under 35 U.S.C. § 102(e) as being anticipated by Harrington. The Examiner's rejection is respectfully traversed.

A. The Rejection of Claim 30

Applicants' invention, as defined by claim 30, is directed to a method for submitting a two-sided market trading command in an electronic trading system. The method comprises: receiving a submission of an offer command from a trader; generating a bid value based on the submitted offer command; and submitting the two-sided market trading command on behalf of the trader. The two-sided market trading command comprises the offer command and a bid command, where the bid command is based on the bid value. The Examiner contends that Harrington shows all the features defined in applicants' claim 30. Applicants respectfully disagree.

Applicants' claim 30 defines "submitting the two-sided market trading command on behalf of the trader, wherein the two-sided market trading command comprises the offer command and

a bid command." As described in Section IV. A. above, Harrington only shows the submission of bid commands for a user of the auction system, and therefore neither shows nor suggests this feature of applicants' claim 30.

In view of the foregoing, claim 30 should be found allowable over Harrington. Therefore, the rejection of claim 30 over Harrington should be withdrawn.

B. The Rejection of Claims 31-42

As demonstrated above, claim 30 should be found allowable. Therefore, dependent claims 31-42 should also be found allowable for at least the same reasons as to why independent claim 30, from which dependent claims 31-42 depend, is allowable. Accordingly, the rejection of dependent claims 31-42 should be withdrawn.

VIII. The Rejections of Claims 43-54

The Examiner rejects claims 43-54 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 43-54 are also rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrington. Applicants have amended claim 43 to more particularly define the invention. The Examiner's rejections are respectfully traversed.

A. The Rejections of Claim 43

Applicants' invention, as defined by amended claim 43, is directed to a method for submitting a two-sided market trading command in an electronic trading system. The method comprises: receiving a submission of an offer command via a first interface; generating a bid value based on the offer command; presenting a second interface that contains information relating to a submission of the two-sided market trading

command; and submitting the two-sided market trading command on behalf of a trader. The two-sided market trading command comprises the offer command and a bid command, where the bid command is based on the bid value.

The Examiner contends that Harrington shows all the features of applicants' claim 43 except for requesting a confirmation of the submission of an offer command. The Examiner states that, since Harrington teaches requesting confirmation of a bid submission, "it would be obvious to one of ordinary skill to provide offer submitters with a confirmation to allow a submitter to verify the items for auction for which buyers are bidding." This contention is moot in light of the amendment to claim 43, which removes the feature of requesting a confirmation of the submission of an offer command.

In addition, applicants' claim 43 defines "submitting the two-sided market trading command on behalf of a trader," again where "the two-sided market trading command comprises the offer command and a bid command." As described in Section IV. A. above, Harrington only shows the submission of bid commands for a user of the auction system, and therefore neither shows nor suggests this feature of applicants' claim 43.

In view of the foregoing, claim 43 should be found allowable over Harrington. Therefore, the rejections of claim 43 should be withdrawn.

B. The Rejection of Claims 44-54

As demonstrated above, claim 43 should be found allowable. Therefore, dependent claims 44-54 should also be found allowable for at least the same reasons as to why independent claim 43, from which dependent claims 44-54 depend, is allowable. Accordingly, the rejections of dependent claims 44-54 should be withdrawn.

IX. The Rejection of claims 55-58

The Examiner rejects claims 55-58 under 35 U.S.C. § 102(e) as being anticipated by Harrington. The Examiner's rejection is respectfully traversed.

A. The Rejection of Claim 55

Applicants' invention, as defined by claim 55, is directed to a method for submitting a two-sided market trading command in an electronic trading system. The method comprises: receiving data related to a tradable item data display; presenting an interactive data display based at least in part on the tradable item data display; receiving a selection of an item in the interactive data display that corresponds to an offer command; generating a bid value based on the submitted offer command; and submitting the two-sided market trading command on behalf of a trader. The two-sided market trading command comprises the offer command and a bid command, where the bid command is based on the bid value. The Examiner contends that Harrington shows all the features defined in applicants' claim 55. Applicants respectfully disagree.

Applicants' claim 55 defines "submitting the two-sided market trading command on behalf of the trader, wherein the two-sided market trading command comprises the offer command and a bid command." As described in Section IV. A. above, Harrington only shows the submission of bid commands by a user of the auction system, and therefore neither shows nor suggests this feature of applicants' claim 55.

In view of the foregoing, claim 55 should be found allowable over Harrington. Therefore, the rejection of claim 55 over Harrington should be withdrawn.

B. The Rejection of Claims 56-58

As demonstrated above, claim 55 should be found allowable. Therefore, dependent claims 56-58 should also be found allowable for at least the same reasons as to why independent claim 55, from which dependent claims 56-58 depend, is allowable. Accordingly, the rejection of dependent claims 56-58 should be withdrawn.

X. New Claims 59-75

Claims 59-75 have been added in order to more particularly define the invention. These claims are fully supported by the specification and no new matter has been added. Each of new claims 59-75 is directed to a method comprising the submission of a two-sided market trading command on behalf of a trader, where the two-sided market trading command comprises a bid command and an offer command. As discussed above, Harrington does not show or suggest this feature. Therefore, claims 59-75 should be found allowable.

XI. Conclusion

In view of the foregoing, claims 1-58 are in condition for allowance. This application is therefore in condition for

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allowance. Reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "James A. Leiz", is written over a horizontal line.

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